IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ADMIRALTY SUIT (LDG.)NO.2976 OF 2007.

Oram Tanker Ltd., Korea. ... Plaintiff.

Versus.

Mt.Liquid Crystal. ... Defendant.

Shri Ashwin Shankar for the Plaintiff.

CORAM : ABHAY S.OKA, J.

DATED : 12th October, 2007.

P.C.:

1. Not on board. Mentioned. Taken on board as the concerned Court is not available. The learned Counsel appearing for the Plaintiff has tendered on record the Minutes of the Order duly signed by him. My attention has been invited to the order dated 9th October 2007 passed by this Court of arrest of the Defendant vessel. The learned Counsel for the Plaintiff states that after the aforesaid order was passed, the parties have arrived at an amicable settlement.

2. The learned Counsel appearing for the Plaintiff, therefore, prays that the order of arrest dated 9th October 2007 be vacated. He states that the plaintiffs confirm receipt of a bank guarantee security for the sum of U.S.$ 4,00,000 from the Defendant towards their claim in arbitration in London. He states that the plaintiffs will pay the Sheriff’s poundage as per the rules. He states that the Plaintiffs have taken search of the

caveat against the release book and there is no caveat recorded against release of the Defendant vessel. The aforesaid statements are accepted. In view of the prayer made by the learned Counsel for the Plaintiff, leave is granted to withdraw the suit. Accordingly suit is dismissed as withdrawn. There will be no order as to costs. The Plaintiffs will be entitled to refund of Court fee as per the Rules.

3. The order dated 9th October 2007 of arrest of the Defendant vessel is set aside and the said vessel is at liberty to sail from the concerned Port. Instrument of release is dispensed with.

4. The Sheriff and the Port authorities to act on an authenticated copy of this order.

Judge.